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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
)
Plaintiff,) No.
)
vs.)
) STATEMENT OF DEFENDANT ON
) PLEA OF GUILTY TO FELONY
_____,) NON-SEX OFFENSE (STTDFG)
)
Defendant.)
)
)
_____)

1. My true name is _____.
2. My date of birth is _____.
3. I went through the _____ grade.
4. **I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:**
- (a) I have the right to representation by a lawyer; if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is _____.
- (b) I am charged with the crime(s) of _____.
- The elements of this crime(s) are set forth in the information/_____amended information, which is incorporated by reference and which I have reviewed with my lawyer.

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2 **5. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT I HAVE THE**
3 **FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY**
4 **PLEADING GUILTY:**

5 (a) The right to a speedy and public trial by an impartial jury in the county where the crime
6 is alleged to have been committed;

7 (b) The right to remain silent before and during trial, and the right to refuse to testify against
8 myself;

9 (c) The right at trial to testify and to hear and question the witnesses who testify against me;

10 (d) The right at trial to have witnesses testify for me. These witnesses can be made to
11 appear at no expense to me;

12 (e) The right to be presumed innocent until the charge is proven beyond a reasonable doubt
13 or I enter a plea of guilty;

14 (f) The right to appeal a determination of guilt after a trial.

15 **6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA(S), I**
16 **UNDERSTAND THAT:**

17 (a) The crime(s) with which I am charged carries a sentence(s) of:

Count No.	Standard Range	Enhancement That Will Be Added to Standard Range	Maximum Term and Fine
			_____ years \$ _____
			_____ years \$ _____
			_____ years \$ _____

1 The crime of _____ is a most serious offense as defined by
2 RCW 9.94A.030, and if I have at least two prior convictions on separate occasions whether in this
3 state, in federal court, or elsewhere, of most serious crimes, I may be found to be a Persistent
4 Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence
5 of life imprisonment without the possibility of early release of any kind. RCW 9.94A.570. [If not
6 applicable, this paragraph should be stricken and initialed by the defendant and the judge ____ ____.]

7 (b) The standard sentence range is based on the crime charged and my criminal history.
8 Criminal history includes prior convictions and juvenile adjudications or convictions, whether in
9 this state, in federal court, or elsewhere.

10 (c) The prosecuting attorney's statement of my criminal history is attached to this agreement.
11 Unless I have attached a different statement, I agree that the prosecuting attorney's statement is
12 correct and complete. If I have attached my own statement, I assert that it is correct and complete.
13 If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated
14 to tell the sentencing judge about those convictions.

15 (d) If I am convicted of any new crimes before sentencing, or if any additional criminal
16 history is discovered, both the standard sentence range and the prosecuting attorney's
17 recommendations may increase or a mandatory sentence of life imprisonment without possibility of
18 parole may be required by law. Even so, I cannot change my mind and my plea of guilty to this
19 charge is binding on me.

20 (e) In addition to sentencing me to confinement, the judge will order me to pay \$500 as a
21 victim's compensation fund assessment and a \$100 DNA fee. If this crime resulted in injury to any
22 person or damages to or loss of property, the judge will order me to make restitution, unless

1 extraordinary circumstances exist which make restitution inappropriate. The judge may also order
2 that I pay a fine, court costs, attorney fees, and other costs and fees. Furthermore, the judge may
3 place me on community custody and I will have restrictions and requirements placed upon me.

4 (f) In addition to confinement, if the total period of confinement ordered is more than 12
5 months, the judge will sentence me to the following period of community custody, unless the judge
6 finds substantial and compelling reasons to do otherwise:

7 For crimes committed prior to July 1, 2000: for a drug offense, assault 2, assault of a child
8 2, or any crime against a person where there is a finding that I or an accomplice was armed with a
9 deadly weapon, one year; for any vehicular homicide or for a vehicular assault by being under the
10 influence or by operation of a vehicle in a reckless manner, 18 months; for a serious violent offense,
11 two years.

12 For crimes committed on or after July 1, 2000, and prior to August 1, 2009, as follows:

- 13 ☐ Serious violent offense: a range of 24 to 36 months.
14 ☐ Violent offense: 18 months.
15 ☐ Crimes against persons or violation of RCW 69.50 or 69.52 : a range of 9 to 12
16 months.

17 For crimes committed on or after August 1, 2009, as follows:

- 18 ☐ Serious violent offense: 36 months.
19 ☐ Violent offense: 18 months.
20 ☐ Crimes against persons or violation of RCW 69.50 or 69.52 : 12 months.

21 The longest applicable period of community custody will be imposed. During the period of
22 community custody I may be under the supervision of the Department of Corrections, and I will
have restrictions and requirements placed upon me. My failure to comply with these conditions will
result in the Department of Corrections transferring me to a more restrictive confinement status or

1 other sanctions being imposed. [If not applicable, this section should be stricken and initialed by the
2 defendant and the judge ____ ____.]

3 (g) The prosecuting attorney will make the following recommendation to the judge: _____
4 _____
5 _____
6 _____

7 ☐ The prosecutor will make the recommendation stated in the plea Agreement and State's
8 Sentence Recommendation, which are incorporated by reference.

9 (h) The judge does not have to follow anyone's recommendation as to sentence. The judge
10 must impose a sentence within the standard range unless there is a finding of substantial and
11 compelling reasons not to do so or both parties stipulate to a sentence outside the standard range. If
12 the judge goes outside the standard range, either I or the State can appeal that sentence to the extent
13 to which it was not stipulated. If the sentence is within the standard range, no one can appeal the
14 sentence.

15 (i) The crime of _____ has a mandatory minimum sentence of
16 at least _____ years of total confinement. The law does not allow any reduction of this sentence.
17 For crimes committed on or after July 24, 2005, this does not apply to juveniles tried as adults
18 pursuant to a transfer of jurisdiction under RCW 13.40.110 (see RCW 9.94A.540(3)). [If not
19 applicable, this paragraph should be stricken and initialed by the defendant and judge ____ ____.]

20 (j) The crime charged in Count _____ includes a firearm / deadly weapon
21 sentence enhancement of _____ months.
22

1 This additional confinement time is mandatory and must be served consecutively to any
2 other sentence and any other enhancement I have already received or will receive in this or any other
3 cause. [If not applicable, this paragraph should be stricken and initialed by the defendant and the
4 judge _____.]

5 (k) The sentences imposed on counts _____, except for any weapons enhancement,
6 will run concurrently unless there is a finding of substantial and compelling reasons to do otherwise.
7 [If not applicable, this paragraph should be stricken and initialed by the defendant and judge
8 _____.]

9 (l) For the crime of vehicular homicide while under the influence of intoxicating liquor or
10 any drug, the sentence will be increased by two years for each prior offense as defined in RCW
11 46.61.5055. This additional confinement time is mandatory and must be served consecutively to
12 any other sentence and any other enhancement I have already received or will receive in this or any
13 other cause. [If not applicable, this paragraph should be stricken and initialed by the defendant and
14 the judge _____.]

15 (m) Counts _____ are serious violent offenses arising from separate and distinct
16 criminal conduct and the sentences on those counts will run consecutively unless the judge finds
17 substantial and compelling reasons to do otherwise. [If not applicable, this paragraph should be
18 stricken and initialed by the defendant and the judge _____.]

19 (n) The judge may sentence me as a first-time offender instead of imposing a sentence
20 within the standard range if I qualify under RCW 9.94A.650. This sentence may include as much as
21 90 days of confinement plus all of the conditions described in paragraph (6)(e). In addition, I may
22 be sentenced up to two years of community supervision if the crime was committed prior to July 1,

1 2000, or two years of community custody if the crime was committed on or after July 1, 2000. The
2 judge also may require me to undergo treatment, to devote time to a specific occupation, and to
3 pursue a prescribed course of study or occupational training. [If not applicable, this paragraph
4 should be stricken and initialed by the defendant and the judge ____ ____.]

5 (o) The judge may sentence me under the special drug offender sentencing alternative
6 (DOSA) if I qualify under former RCW 9.94A.120(6) (for crimes committed before July 1, 2001),
7 or RCW 9.94A.660 (for offenses committed on or after July 1, 2001). This sentence could include a
8 period of total confinement for one-half of the midpoint of the standard range and community
9 custody of at least one-half of the midpoint of the standard range, plus all of the other conditions
10 described in paragraph (6)(e). The judge could impose a residential treatment-based DOSA
11 alternative that would include three to six months of residential chemical dependency treatment and
12 24 months of community custody, plus all the other conditions described in paragraph (6)(e).
13 During confinement and community custody under either alternative, I will be required to
14 participate in substance abuse evaluation and treatment, not to use illegal controlled substances and
15 to submit to testing to monitor that, and other restrictions and requirements will be placed on me.
16 [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge
17 ____ ____.]

18 (p) This plea of guilty will result in revocation of my privilege to drive under RCW
19 46.20.285 (1)-(3), (5)-(7). If I have a driver's license, I must now surrender it to the judge. [If not
20 applicable, this paragraph should be stricken and initialed by the defendant and the judge ____ ____.]
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2 (q) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the
3 judge finds I used a motor vehicle in the commission of this felony.

4 (r) If this crime involves a sexual offense, prostitution, or a drug offense associated with
5 hypodermic needles, I will be required to undergo testing for the human immunodeficiency virus
6 (HIV). [If not applicable, this paragraph should be stricken and initialed by the defendant and the
7 judge _____.]

8 (s) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a
9 crime under state law is grounds for deportation, exclusion from admission to the United States, or
10 denial of naturalization pursuant to the laws of the United States.

11 (t) I will be required to provide a biological sample for purposes of DNA identification
12 analysis.

13 (u) Because this crime involves a kidnapping or unlawful imprisonment offense involving a
14 minor, I will be required to register with the sheriff of the county of the state of Washington where I
15 reside, study, or work. The specific registration requirements are described in the "Offender
16 Registration" Attachment. [If not applicable, this paragraph should be stricken and initialed by the
17 defendant and the judge _____.]

18 (v) This plea of guilty will result in the revocation of my right to possess, own, or have in
19 my control any firearm unless my right to do so is restored by a superior court in Washington State,
20 and by a federal court if required. I must immediately surrender any concealed pistol license. RCW
21 9.41.040.

1
2 (w) I will be ineligible to vote until that right is restored in a manner provided by law. If I
3 am registered to vote, my voter registration will be cancelled.

4 (x) Because this is a crime of domestic violence, I may be ordered to pay a domestic
5 violence assessment of up to \$100. If I, or the victim of the crime, have a minor child, the court
6 may order me to participate in a domestic violence perpetrator program approved under RCW
7 26.50.150. [If not applicable, this paragraph should be stricken and initialed by the defendant and
8 the judge _____.]

9 (y) Because this crime involves the manufacture, delivery, or possession with intent to
10 deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine,
11 including its salts, isomers, and salts of isomers, a mandatory cleanup fine of \$3000 will be
12 assessed. RCW 69.50.401(2)(b). [If not applicable, this paragraph should be stricken and initialed
13 by the defendant and the judge _____.]

14 (z) Because this crime involves a violation of the state drug laws, my eligibility for state and
15 federal food stamps, welfare, and education benefits will be affected. 20 U.S.C. § 1091(r) and 21
16 U.S.C. § 862a. [If not applicable, this paragraph should be stricken and initialed by the defendant
17 and the judge _____.]

18 (aa) Because the crimes I am pleading guilty to include both a conviction under RCW
19 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more
20 convictions for the felony crimes of theft of a firearm or possession of a stolen firearm, the
21 sentences imposed for these crimes shall be served consecutively to each other. RCW
22

1 9.94A.589(1)(c). [If not applicable, this paragraph should be stricken and initialed by the defendant
2 and the judge _____.]

3 7. I plead guilty to the crime(s) of _____
4 _____
5 _____

6 as charged in the information/ _____ amended information. I have received a copy of
7 that information.

8 8. I make this plea freely and voluntarily.

9 9. No one has threatened harm of any kind to me or to any other person to cause me to make
10 this plea.

11 10. No person has made promises of any kind to cause me to enter this plea except as set
12 forth in this statement.

13 11. The judge has asked me to state briefly in my own words what I did that makes me
14 guilty of this (these) crime(s). This is my statement:

15 _____
16 _____
17 _____
18 _____
19 _____
20 _____

21

22

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

DEFENDANT

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

PROSECUTING ATTORNEY

Print Name: _____
WSBA#

DEFENDANT'S LAWYER

Print Name: _____
WSBA#

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- ☐ (a) The defendant had previously read; or
☐ (b) The defendant's lawyer had previously read to him or her; or
☐ (c) An interpreter had previously read to the defendant the entire statement above;

and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. The defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated this _____ day of _____, 20____.

JUDGE

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I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language and I am fluent in that language, which the defendant understands. I have translated this entire document for the defendant from English into that language. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _____ day of _____, 20____.

TRANSLATOR

Print Name:_____

INTERPRETER

Print Name:_____